

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT**

PATRICK GAFFNEY)

Plaintiff,)

v.)

CASE NO. 1:08-CV-18

JACOB M. WAND, PLAY HARD, INC.,)

d/b/a PLAY HARD MUSIC & SOUND,)

d/b/a PLAY HARD ENTERPRISES,)

d/b/a PLAY HARD MUSIC CO,)

PLAY HARD, LLC, PLAY MORE, INC.)

d/b/a PLAY MORE MUSIC, D'RYAN)

GREEN, LEITZ MUSIC COMPANY, INC.)

d/b/a, LEITZ MUSIC, LEITZ MUSIC, LLC,)

PHILIP LEITZ, HONEY W. LEITZ,)

JULIE L. LEITZ, REEL MUSIC & SOUND,)

INC., CHRISTOPHER L. LEITZ and)

CHARLES C. COOLEY)

Defendants.

U.S. DISTRICT COURT
DISTRICT OF VERMONT
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MOTION FOR DEFAULT JUDGMENT

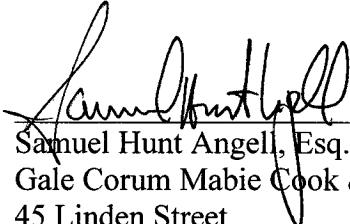
NOW COMES the Plaintiff, Patrick Gaffney, by and through his attorneys, Gale, Corum, Mabie, Cook & Prodan, and moves this Honorable Court for a Default Judgment pursuant to local Federal Rules of Civil Procedure 55.1 (a) and F.R.C.P 55 (b)(1) against Defendants Jacob Wand and Play Hard, Inc. as to Counts I and II of Plaintiff's Complaint dated January 25, 2008 and served on Defendants Jacob Wand and Play Hard, Inc. on January 31, 2008, on the grounds that the Defendants Jacob Wand and Play Hard, Inc. have failed to plead or otherwise defend, which fact appears from the records of the Court and the Attorney's Affidavit attached hereto.

WHEREFORE, Plaintiff Patrick Gaffney requests Judgment in the amount of \$130,887.86 for unmade payments in the amount of \$125,000.00 pursuant to the contract between Plaintiff and Defendants Jacob M. Wand and Play Hard, Inc. dated October 20, 2007,

including a "late fee" of \$25,000.00, plus unpaid payments of principal and interest thereon in the amount of \$5,055.30, and costs in the amount of \$832.56.

Dated at Brattleboro, Vermont this 21st day of February, 2008.

PATRICK GAFFNEY

By: 
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